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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,583	03/29/2004	Efraim Atad	27614	3985
67801 7590 09/03/2008 MARTIN D. MOYNIHAN d/b/a PRTSI, INC. P.O. BOX 16446 ARLINGTON, VA 22215				
EXAMINER				
RYAN, PATRICK A				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/810,583

Applicant(s)

ATAD ET AL.

Examiner

PATRICK A. RYAN

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is made in response to Amendment-After Non-Final Rejection filed June 5, 2008 ("Response"). Applicant has amended Claim 1, added Claim 19; and no claims have been canceled. As amended, Claims 1 through 19 are presented for examination.

Miscellaneous

2. Applicant is advised that the Examiner of record for this application has changed.

Response to Arguments

3. Applicant's arguments with, see Response Page 6 and 7, filed June 5, 2008, with respect to the Mehravari's teaching of "a connector connected at one end to both the terrestrial and satellite receivers" have been considered but are moot in view of the new ground(s) of rejection.

4. Applicant's arguments filed June 5, 2008, regarding the use of Mehravari's Switch 560 for teaching of a splitter-combiner have been fully considered but they are not persuasive. With reference to Response Pages 7, Applicant presents that: "Neither a switch nor a processor can be regarded as a splitter since a splitter is a passive device..." The Examiner respectfully disagrees.

5. Examiner presents that Switch 560 of Mehravari is described as a "splitter" that separates a first set of signals having a first frequency range and a second set of signals having a second frequency range (as described in Paragraphs [0053 and

0064]). Mehravari further teaches that Switch 540 (the general representation of Switch 560) can be implemented with integrated or discrete circuit components, and can be analog or digital based (as described in Paragraph [0053]). Therefore, the Examiner upholds that Mehravari teaches a splitter-combiner unit in the form of Switch 560.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claim 19 is rejected under 35 U.S.C. 102(e) as being anticipated by Perlman, United States Patent Application Publication (2004/0110463 A1).
8. In regards to Claim 19, Perlman teaches a method of upgrading a building internal user installation for an external video broadcast multi-channel feed receiver installation, in order to add transmission functionality, the external video broadcast multi-channel feed receiver installation having a terrestrial transmitter added thereto and connected to a connector of the external video broadcast multi-channel feed receiver installation for coupling to the building internal user installation, the method comprising: terminating said connector internally with a splitter, such that said splitter lies between said connector and said building internal user installation, and configuring the splitter to

send outgoing signals to said connector and to separate incoming signals into video feed signals and other signals (As demonstrated in Fig. 8, Perlman shows Wireless Antenna 111 and satellite assembly (elements 15, 16, 18, and 21) in association with each other by way of Distribution Box 110 (as described in Paragraphs [0033,0034]; with further reference to Fig. 1 and Paragraphs [0024,0028,0029]). Perlman further teaches that Distribution Box 110 can be spliced into Cable 20 and function as a splitter for the signals carried on Cable 20 (as disclosed in Paragraph [0033])).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-4, 6-9, 11, and 13-18 rejected under 35 U.S.C. 103(a) as being unpatentable over Mehravari, United States Patent Application Publication (2003/0133413 A1, Of Record) in view of Perlman, United States Patent Application Publication (2004/0110463 A1).

11. In regards to Claim 1, Mehravari teaches a user installation for interfacing a television or like device with a video broadcast multi-channel feed signal (First Communications Device 580, as described in Paragraph [0057] with further reference to Paragraph [0050] describing the reception of television services. In addition, other interfacing devices are shown as elements 585 and 230 of Fig. 4, as described in

Paragraph [0064]), the installation comprising a connector for connection to a video broadcast multi-channel feed receiver installation (Transceiver 519 of Fig.4, as described in Paragraph [0050]); a three-way passive splitter unit (Switch 560 of Fig.4, as described in Paragraphs [0053, 0064]) attached to said connector for splitting incoming signals from said connector into a video feed signal (Switch 560 separates a first set of signals having a first frequency range associated with a television service, as described in Paragraph [0053] and shown in Fig. 4 with cable connecting Switch 560 to First Communications Device 580) and a signal received from a terrestrial network (Switch 560 separates a second set of signals, received from terrestrial network 132, having a second frequency range associated with high-speed data services, as described in Paragraphs [0009,0025,0050,0053] and shown in Fig. 4 with cable connecting Switch 560 to Second Communications Device 585), and for directing outgoing signals for said terrestrial network to said connector (Switch 560 supports two-way high-speed data service in communication with Satellite Infrastructure 505, as described in Paragraphs [0025,0050]); said terrestrial network signal providing a return link to support user interaction from said interfaced device (Satellite Infrastructure 505 supports a network for delivering two-way high-speed data service and television services in conjunction with terrestrial network 132, as described in Paragraph [0009,0025,0050,0053]).

Mehravari does not explicitly teach the installation comprising a satellite receiver for receiving said video broadcast multi-channel feed signal in association with a

transmitter/receiver for a terrestrial network, said connector carrying both said feed signal and bi-directional signals for said terrestrial antenna.

In a similar field of invention, Perlman teaches an antenna assembly for receiving satellite signals and a wireless communications transceiver that operates to transmit and receive video and data information within a surrounding range (Abstract). As demonstrated in Fig. 8, Perlman shows Wireless Antenna 111 and satellite assembly (elements 15, 16, 18, and 21) in association with each other by way of Distribution Box 110 (as described in Paragraphs [0033,0034]; with further reference to Fig. 1 and Paragraphs [0024,0028,0029]). Perlman further teaches that Distribution Box 110 can be spliced into Cable 20 and function as a splitter for the signals carried on Cable 20 (as disclosed in Paragraph [0033]).

Both Mehravari and Perlman teach three-way passive splitter units (Switch 560 and Distribution Box 110, respectively) that separate satellite broadcast signals and signals received from a terrestrial network (as described above). Perlman demonstrates the use of a terrestrial antenna and a satellite dish for providing both a video broadcast multi-channel feed and a bi-directional terrestrial signal from separate devices associated by the same cable. In view of Perlman's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the similar teachings of Mehravari to include a terrestrial antenna and a satellite receiver on the same cable in order to reduce the cost of the over system by providing the data from each device to the same splitter unit.

12. In regards to Claim 2, the combination of Mehravari and Perlman teach the user installation of claim 1, wherein said video broadcast multi-channel feed signal comprises a satellite signal (with reference to Mehravari's Fig.4, satellite dish 518 receiving broadcast multi-channel feed from satellite relay 517 for users 510; as described in Paragraphs [0025,0049,0050]).

13. In regards to Claim 3, the combination of Mehravari and Perlman teach the user installation of Claim 1, wherein said video broadcast multi-channel feed signal comprises a terrestrial signal (Mehravari teaches Satellite Infrastructure 505 supports a network for delivering two-way high-speed data service and television services in conjunction with terrestrial network 132, as described in Paragraphs [0009,0025,0050,0053]).

14. In regards to Claim 4, the combination of Mehravari and Perlman teach the user installation of Claim 1, further operable to provide wide area network (WAN) support so that said connected satellite TV installation, when supplied with a terrestrial antenna, can serve as a WAN node (Perlman teaches Wireless Transceiver 71 can operate to provide network connectivity that extends throughout a region or area, as described in Paragraph [0034], with further reference to Paragraphs [0029-0033]).

15. In regards to Claim 6, the combination of Mehravari and Perlman teach the user installation of Claim 1, further operable to provide Hotspot support so that said connected satellite TV installation, when supplied with a terrestrial antenna, can provide a local hotspot (Perlman teaches Wireless Transceiver 71 can be used to transmit

signals to nearby devices, such as Laptop Computer 25, as described in Paragraph [0031], with further reference to Fig. 1).

16. In regards to Claim 7, the combination of Mehravari and Perlman teach the user installation of Claim 6, wherein said hotspot support substantially fulfils the requirements of IEEE standard 802.11 (Perlman teaches the Wireless Transceiver 71 using the IEEE 802.11, as described in Paragraph [0031], with further reference to Paragraphs [0028-0030]).

17. In regards to Claim 8, the combination of Mehravari and Perlman teach the user installation of Claim 1, comprising set top box (STB) functionality (Mehravari teaches First Communications Device 580, as described in Paragraph [0057]), WAN functionality (Perlman teaches Wireless Transceiver 71 can operate to provide network connectivity that extends throughout a region or area, as described in Paragraph [0034], with further reference to Paragraphs [0029-0033]), and splitter combiner functionality (Mehravari teaches Switch 560, as described in Paragraphs [0009,0025,0050,0053] and shown in Fig. 4. In addition, Perlman teaches Distribution Box 110, as described in Paragraphs [0033,0034]; with further reference to Fig. 1 and Paragraphs [0024,0028,0029]).

18. In regards to Claim 9, the combination of Mehravari and Perlman teach the user installation of Claim 1, further comprising a residential gateway comprising interface functionality for at least one of a LAN, an Internet enabled device, and a voice over IP enabled device (Perlman teaches a residential gateway in the form of Wireless

Transceiver 71 that interfaces with an Internet enabled device in the form of Laptop Computer 25, as described in Paragraph [0031]).

19. In regards to Claim 11, the combination of Mehravari and Perlman teach, the user installation of Claim 8, further comprising hotspot management functionality (Perlman teaches Wireless Transceiver 71 can be used to transmit signals to nearby devices, such as Laptop Computer 25, as described in Paragraph [0031], with further reference to Fig. 1 and Paragraphs [0032-0033]).

20. In regards to Claim 13, the combination of Mehravari and Perlman teach the user installation of Claim 1, comprising residential gateway functionality with local area network (LAN) support for supporting a plurality of household communication enabled devices over a LAN (Perlman teaches a residential gateway in the form of Wireless Transceiver 71 that interfaces with an Internet enabled device in the form of Laptop Computer 25, as described in Paragraph [0031]).

21. In regards to Claim 14, the combination of Mehravari and Perlman teach the user installation of Claim 13, wherein said LAN support comprises Ethernet support (Perlman teaches the use of Ethernet for providing a data interface for two-way communications, as described in Paragraph [0040]).

22. In regards to Claim 15, the combination of Mehravari and Perlman teach the user installation of Claim 13, wherein said LAN support is over a co-ax cable (Perlman teaches the use of coaxial wires, as described in Paragraph [0026]).

23. In regards to Claim 16, the combination of Mehravari and Perlman teach the user installation of claim 13, wherein said LAN support comprises wireless network support

(Perlman teaches Wireless Transceiver 71 can be used to transmit signals to nearby devices, such as Laptop Computer 25, as described in Paragraph [0031], with further reference to Fig. 1).

24. In regards to Claim 17, the combination of Mehravari and Perlman teach, the user installation of Claim 1, wherein said connector is adapted to use an existing co-ax cable or a twisted pair for sending outgoing signals (Mehravari teaches, using existing wire-line infrastructure of high bandwidth coaxial or hybrid fiber-coaxial of TV operators, satellite communication providers, telephone operators, as described in Paragraph [0007]. In addition, Perlman teaches Distribution Box 110 can be spliced into existing Cable 20), as described in Paragraph [0033]).

25. In regards to Claim 18, the combination of Mehravari and Perlman teach the user installation of Claim 1, wherein said connector is adapted to use Ethernet for sending outgoing signals (Perlman teaches the use of Ethernet for providing a data interface for two-way communications, as described in Paragraph [0040]).

26. Claims 5, 10, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Mehravari and Perlman as applied to Claim 1 above, and further in view of Reisman, United States Patent Application Publication (2004/0031058 A1, Of Record).

In regards to Claim 5, Mehravari and Perlman teach the user installation of Claim 4 and wide area network support, but the combination does not teach the use of IEEE standard 802.16 or 802.20 for supporting WAN or wide-area network.

In an analogous art, Reisman teaches a transmission protocol referring to any form of "communication" or "transport", including connections to directly attached devices, local area networks (LANs), and wide area networks (WANs), which are adapted to IEEE 802.16 standard, as described in Paragraph [0085]).

Therefore, it would be obvious to one with ordinary skill in the art to further modify Mehravari and Perlman with Reisman to include IEEE 802.16 standard, as taught by Reisman, for the benefit of providing WAN support so that all communication devices and connected networks would be compatible with each other.

27. In regards to Claim 10, the combination of Mehravari and Perlman teach the user installation of Claim 9, but do not teach wherein said residential gateway and a set-top box functionality are integrated within a single housing.

In a similar field of invention, Reisman teaches using a set-top box receiver as a gateway to distribute TV signals and Internet Protocol information to other devices in the local network, as described in Paragraph [0306].

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Mehravari and Perlman to include a single device containing a residential gateway and a set-top box receiver a single housing for the benefit of reducing the size of the distribution system.

28. In regards to Claim 12, the combination of Mehravari and Perlman teach the user installation of Claim 8, but the combination does not teach a master STB functionality for connecting a plurality of set top boxes.

In an analogous art, Reisman teaches that limitation ("ControllableSTB" as described in [0276] and Paragraph [0306] teaching the use of a STB functioning as a home gateway for distributing TV signals to other devices on the home network.

Therefore, it would be obvious to one with ordinary skill in the art to modify Mehravari and Perlman to include master STB functionality for connecting a plurality of set-top boxes, as taught by Reisman, for the benefit of users in a household so that each user would be able to control TV viewing with a simple version of a set-top box, which would result in less cost to a household for total number of set top boxes.

Conclusion

29. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PATRICK A. RYAN whose telephone number is

(571)270-5086. The examiner can normally be reached on Mon to Thur, 8:00am - 5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Beliveau can be reached on (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/P. A. R./
Examiner, Art Unit 2623
Thursday, September 04, 2008

/Scott Beliveau/
Supervisory Patent Examiner, Art Unit 2623